Amendment Filed With A Request For Continued Examination I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: June 3, 2009 Signature: /Christina M. Sperry/

(Christina M. Sperry, Reg. No. 47,106)

Docket No.: 101896-251 (DEP5318USNP)

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Michael A. Slivka et al.

Application No.: 10/709,796

Confirmation No.: 3795

Filed: May 28, 2004

Art Unit: 3733

For: NON-FUSION SPINAL CORRECTION

SYSTEMS AND METHODS

Examiner: M. C. Hoffman

AMENDMENT FILED WITH A REQUEST FOR CONTINUED EXAMINATION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Madam:

INTRODUCTORY COMMENTS

Applicant submits this paper and a Request for Continued Examination in response to the final Office Action dated April 3, 2009.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.